

The evaluation of creek crossings should also evaluate any impacts that the HST system may have on wildlife migration corridors along the creek channels.

If you have any questions, please contact me at (510) 622-5680 or by e-mail at [bwines@waterboards.ca.gov](mailto:bwines@waterboards.ca.gov).

Sincerely,



Brian Wines  
Water Resources Control Engineer

cc     State Clearinghouse, Attn: Scott Morgan, P.O. Box 3044, Sacramento, CA 95812-3044  
        USACE, San Francisco District, Attn: Regulatory Branch, 333 Market Street, San Francisco, CA 94105 -2197  
        CDFG, Central Coast Region, Attn: Robert Floerke, Regional Manager, P.O. Box 47, Yountville CA 94599 (Notification No. R3-2001-0016)



Alan C. Lloyd, Ph.D.  
Agency Secretary

# California Regional Water Quality Control Board

## Central Valley Region

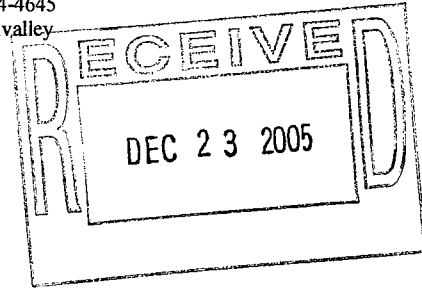
Robert Schneider, Chair



Arnold  
Schwarzenegger  
Governor

### Sacramento Main Office

11020 Sun Center Drive #200, Rancho Cordova, California 95670-6114  
Phone (916) 464-3291 • FAX (916) 464-4645  
<http://www.waterboards.ca.gov/centralvalley>



20 December 2005

Dan Leavitt  
California High Speed Rail Authority  
925 L Street, Suite 1425  
Sacramento, CA 95814

***PROPOSED PROJECT REVIEW, CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA),  
NOTICE OF PREPARATION FOR BAY AREA TO CENTRAL VALLEY HIGH-SPEED TRAIN,  
STATE CLEARINGHOUSE #2005112051, MERCED, SANTA CLARA, ALAMEDA, SAN  
FRANCISCO, SAN MATEO COUNTIES***

As a Responsible Agency, as defined by CEQA, we have reviewed the Notice of Preparation for Bay Area to Central Valley High-Speed Train. Based on our review, we have the following comments regarding the proposed project.

### Construction Storm Water

A NPDES General Permit for Storm Water Discharges Associated with Construction Activities, NPDES No. CAS000002, Order No. 99-08-DWQ is required when a site involves clearing, grading, disturbances to the ground, such as stockpiling, or excavation that results in soil disturbances of one acre or more of total land area. Construction activity that involves soil disturbances on construction sites of less than one acres and is part of a larger common plan of development or sale, also requires permit coverage. Coverage under the General Permit must be obtained prior to construction. More information may be found at <http://www.swrcb.ca.gov/stormwtr/construction.html>

### Post-Construction Storm Water Management

Manage storm water to retain the natural flow regime and water quality, including not altering baseline flows in receiving waters, not allowing untreated discharges to occur into existing aquatic resources, not using aquatic resources for detention or transport of flows above current hydrology, duration, and frequency. All storm water flows generated on-site during and after construction and entering surface waters should be pre-treated to reduce oil, sediment, and other contaminants. The local municipality where the proposed project is located may now require post construction storm water Best Management Practices (BMPs) pursuant to the Phase II, SWRCB, Water Quality Order No. 2003 – 0005 – DWQ, NPDES General Permit No. CAS000004, WDRS for Storm Water Discharges from Small Municipal Separate Storm Sewers Systems (MS4). The local municipality may require long-term post-construction BMPs to be incorporated into development and significant redevelopment projects to protect water quality and control runoff flow.

Wetlands and/or stream course alteration

Section 401 of the federal Clean Water Act requires any project that impacts waters of the United States (such as streams and wetlands) to file a 401 Water Quality Certification application with this office. The project proponent must certify the project will not violate state water quality standards. Projects include, but are not limited to, stream crossings, modification of stream banks or stream courses, and the filling or modification of wetlands. If a U.S. Army Corp of Engineers (ACOE) permit is required for the project, then Water Quality Certification must be obtained prior to initiation of project activities. The proponent must follow the ACOE 404(b)(1) Guidance to assure approval of their 401 Water Quality Certification application. The guidelines are as follows:

1. **Avoidance** (Is the project the least environmentally damaging *practicable* alternative?)
2. **Minimization** (Does the project minimize any adverse effects to the impacted wetlands?)
3. **Mitigation** (Does the project mitigate to assure a no net loss of functional values?)

If, after avoidance and minimization guidelines are considered and wetland impacts are still anticipated:

- determine functional losses and gains (both permanent and temporal; both direct and indirect)
- conduct adequate baselines of wetland functions including vegetation, wildlife, hydrology, soils, and water quality
- attempt to create/restore the same wetland type that is impacted, in the same watershed
- work with a regional context to maximize benefits for native fish, wildlife, vegetation, as well as for water quality, and hydrology
- use native species and materials whenever possible
- document all efforts made to avoid the minimize adverse wetland impacts
- be prepared to develop performance criteria and to track those for between 5 to 20 years
- be prepared to show project success based on achieving wetland functions
- if the project fails, be prepared to repeat the same process (via financial assurance), with additional acreage added for temporal losses
- specify how the mitigation project will be maintained in perpetuity and who will be responsible for the maintenance

For more information regarding Water Quality Certification may be found at  
[http://www.waterboards.ca.gov/centralvalley/available\\_documents/wq\\_cert/application.pdf](http://www.waterboards.ca.gov/centralvalley/available_documents/wq_cert/application.pdf)

Dewatering Permit

The proponent may be required to file a Dewatering Permit covered under Waste Discharge Requirements General Order for Dewatering and Other Low Threat Discharges to Surface Waters Permit, Order No. 5-00-175 (NPDES CAG995001) provided they do not contain significant quantities of pollutants and are either (1) four months or less in duration, or (2) the average dry weather discharge does not exceed 0.25 mgd:

- a. Well development water
- b. Construction dewatering
- c. Pump/well testing
- d. Pipeline/tank pressure testing
- e. Pipeline/tank flushing or dewatering
- f. Condensate discharges
- g. Water Supply system discharges
- h. Miscellaneous dewatering/low threat discharges

Industrial

A NPDES General Permit for Storm Water Discharges Associated with Industrial Activities, NPDES No. CAS000001, Order No. 97-03-DWQ regulates 10 broad categories of industrial activities. The General Industrial Permit requires the implementation of management measures that will achieve the performance standard of best available technology economically achievable (BAT) and best conventional pollutant control technology (BCT). The General Industrial Permit also requires the development of a Storm Water Pollution Prevention Plan (SWPPP) and a monitoring plan. The General Industrial Permit requires that an annual report be submitted each July 1. More information may be found at <http://www.swrcb.ca.gov/stormwtr/industrial.html>

For more information, please visit the Regional Boards website at <http://www.waterboards.ca.gov/centralvalley/> or contact me at 916.464.4663 or by e-mail at [palisoc@waterboards.ca.gov](mailto:palisoc@waterboards.ca.gov).



CHRISTINE PALISOC  
Environmental Scientist  
Storm Water Unit  
916.464.4663

cc: State Clearinghouse, Sacramento



# California Regional Water Quality Control Board

## Central Valley Region

Robert Schneider, Chair



Arnold Schwarzenegger  
Governor

Ian C. Lloyd Ph.D.  
Secretary for  
Environmental  
Protection

Fresno Branch Office  
1685 E Street, Fresno, California 93706  
Phone (559) 445-5116 • FAX (559) 445-5910  
<http://www.waterboards.ca.gov/centralvalley>

22 December 2005

Dan Leavitt  
California High Speed Rail Authority  
925 L Street, Suite 1425  
Sacramento, CA 95814

### **NOTICE OF PREPARATION OF THE BAY AREA TO CENTRAL VALLEY HIGH-SPEED TRAIN DRAFT ENVIRONMENTAL IMPACT REPORT, SCH# 2005112051**

Your request for comments on the Notice of Preparation of the Bay Area to Central Valley High-Speed Train Draft Environmental Impact Report was received on 18 November 2005. The proposed project is to construct a high-speed train system that would be over 700 miles long and capable of speeds of over 200 miles per hour with electrically powered trains on fully grade-separated tracks. The proposed project would connect and serve California's major metropolitan areas, extending from Sacramento and the San Francisco Bay Area through the Central Valley to Los Angeles and San Diego. This Notice of Preparation evaluates the portion of the rail system from the San Francisco Bay Area to the Central Valley.

The final CEQA environmental document needs to describe all solid and/or liquid wastes that may be generated by the proposed project and how they will be handled, treated, and disposed.

The final CEQA environmental document needs to consider growth-inducing impacts to station cities and surrounding areas in regard to increased development and the demand for resources such as drinking water and wastewater services. The final CEQA environmental document also needs to consider how storm water drainage may be affected by the proposed project and propose mitigation measures to minimize water quality and quantity impacts.

The Standard Industrial Classification (SIC) code of the final project is 4011-Railroads, Line-Hauling Operating; therefore, compliance with the National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000001 for Discharges of Storm Water Associated With Industrial Activities will be required for discharges to surface waters, including ephemeral and intermittent drainages, or municipal storm sewer systems. To obtain coverage under the General Permit, the Authority must submit a Notice of Intent (NOI) to comply with the permit, a site map, and an appropriate fee to the State Water Resources Control Board and a Storm Water Pollution Prevention Plan (SWPPP) must be prepared, prior to commencing operations at the facility. The SWPPP must address issues associated with the operation of the rail line, including passenger stations, and maintenance facilities.

**California Environmental Protection Agency**



Recycled Paper

As construction associated with the project will disturb one acre or more, compliance with the National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000002 for Discharges of Storm Water Associated With Construction Activity will be required for potential discharges to surface waters, including ephemeral and intermittent drainages, and municipal storm drain systems. Before construction begins, the Authority must submit an NOI to comply with the permit, a site map, and an appropriate fee to the State Water Resources Control Board and a SWPPP must be prepared. The SWPPP must contain at a minimum all items listed in Section A of the General Permit including descriptions of measures taken to prevent or eliminate unauthorized non-storm water discharges, and both temporary (e.g., fiber rolls, silt fences, etc.) and permanent (e.g., vegetated swales, riparian buffers, etc.) best management practices (BMPs) that will be implemented to prevent pollutants from discharging with storm water into waters of the United States.

If the project will result in construction dewatering discharges, compliance with the NPDES No. CAG995001, General Order No. 5-00-175 for Dewatering and Other Low Threat Discharges to Surface Waters may be required. Before construction begins, the Authority must submit an NOI to comply with the permit and a filing fee to this Regional Board office. The dewatering General Order is applicable only if the discharge does not contain significant quantities of pollutants, and is less than four months in duration or has an average dry weather flow of less than 0.25 million gallons per day. Otherwise, the Authority must apply for site-specific waste discharge requirements (WDRs). A representative sample of the construction dewatering discharge would need to be collected and analyzed to demonstrate that no constituents of concern are present in quantities that would cause an exceedance of water quality objectives.

If the project will result in the discharge of dredged or fill material into navigable waters or wetlands (jurisdictional waters), the Authority must obtain a permit pursuant to Section 404 of the Clean Water Act from the US Army Corps of Engineers and a Section 401 Water Quality Certification from this office. Regional Board staff will review the Section 401 certification application to ensure that discharges will not violate water quality standards. If the project will result in the discharge of dredged or fill material into wetlands that are determined by the Corps to be non-jurisdictional, the Authority will not be required to obtain a Section 401 Water Quality Certification, but may be required to submit a report of waste discharge if the wetlands are waters of the State. The Regional Board will either prescribe WDRs that will incorporate measures to mitigate potentially significant impacts to water quality and potential public nuisances or issue a waiver of WDRs. For more information regarding Section 404 permitting, contact the Sacramento District of the Corps of Engineers at (916) 557-5250.

Thank you for the opportunity to comment on this Notice of Preparation of the Bay Area to Central Valley High-Speed Train Draft Environmental Impact Report. If you have any questions regarding our comments, please call me at (559) 445-6190.

A handwritten signature in black ink, appearing to read 'WD' followed by a stylized flourish.

W. DALE HARVEY  
Senior Engineer  
RCE No. 55628

cc: State Clearinghouse, Sacramento



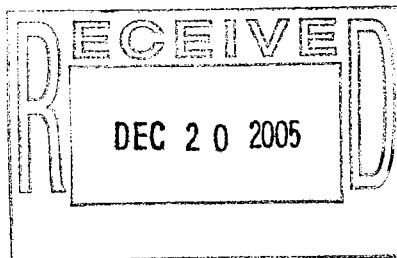
# DEPARTMENT OF CONSERVATION

## DIVISION OF LAND RESOURCE PROTECTION

801 K STREET • MS 18-01 • SACRAMENTO, CALIFORNIA 95814

PHONE 916 / 324-0850 • FAX 916 / 327-3430 • TDD 916 / 324-2555 • WEB SITE [conservation.ca.gov](http://conservation.ca.gov)

December 14, 2005



Dan Leavitt  
California High Speed Rail Authority  
925 L Street, Ste. 1425  
Sacramento, CA 95814

Subject: SCH# 2005112051, Notice of Preparation of a Draft Environmental Impact Report/Statement (DEIR/S) for the Bay Area to Central Valley High Speed Train

Dear Mr. Leavitt:

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the Notice of Preparation (NOP) for the above-referenced project. The Division monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. We offer the following comments and recommendations with respect to the project's impacts on agricultural land and resources.

### Project Description

The High Speed Train system would extend over 700 miles, and be capable of speeds over 200 miles per hour with electrically powered trains on fully grade-separated tracks with state of the art safety, signaling, and train control systems. The proposed system would connect and serve California's major metropolitan areas from Sacramento, San Francisco Bay Area cities and extend to Los Angeles and San Diego.

### Agricultural Setting of the Project

The DEIR/S should describe the known areas that will be converted from farmland to another use as a result of this project and its related projects. How many separate projects and corridors are planned, and how many acres would potentially be impacted or converted to another use? Changes in land uses associated with this project may impact several thousands of acres of farmland. The Division's Important Farmland Map for each County should be utilized to identify agricultural land within the project site and in the surrounding area that may be impacted. Acreages for each land use designation should be identified for both areas. Likewise, the counties' Williamson Act Map should be utilized to identify potentially impacted contract, Farmland Security Zone (FSZ) and agricultural preserve land by acreage and whether it is prime or nonprime agricultural



land according to definition in Government Code §51201(c). Maps of the Important Farmland and Williamson Act land should be included in the DEIR/S.

In addition, we recommend including the following items of information to characterize the agricultural land resource settings of the Plan's related projects:

- Current and past agricultural use of the project area. Include data on the types of crops grown, crop yields and farm gate sales values.
- To help describe the full agricultural resource value of the soils of the site, we recommend the use of economic multipliers to assess the total contribution of the site's potential or actual agricultural production to the local, regional and state economies. State and Federal agencies such as the UC Cooperative Extension Service and USDA are sources of economic multipliers.

#### Project Impacts on Agricultural Land

The Department recommends that the following information be included in the DEIR/S in the analysis of project-specific impacts:

- Type, amount, and location of farmland lost to project implementation. The conversion of Prime Farmland, Unique Farmland or Farmland of Statewide Importance is considered a potentially significant adverse impact.
- A discussion of conflicts with Williamson Act contracts, including termination in order to accommodate the Plan's projects. The DEIR/S should also discuss the impacts that conflicts or termination would have on nearby properties under contract; i.e., growth-inducing impacts from the perspective that the removal of contract protection removes a barrier to development and results in an incentive to shift to a more intensive land use such as urban development. The termination of a Williamson Act contract is considered a potentially significant adverse impact.
- Indirect impacts on current and future agricultural operations; e.g., land-use conflicts, increases in land values and taxes, vandalism, population, traffic, water availability, etc.
- Growth-inducing impacts, including whether leapfrog development is involved.
- Incremental project impacts leading to cumulatively considerable impacts on agricultural land. These impacts would include impacts from the proposed project as well as impacts from past, current and probable future projects. The Division's farmland conversion tables may provide useful historical data.
- Impacts on agricultural resources may also be quantified and qualified by use of established thresholds of significance (CEQA Guidelines §15064.7). We highly recommend the use of the Land Evaluation Site Assessment (LESA) Model, as the tool provides a numeric and objective basis for determining level of significance of project impacts on agricultural resources. Information is available on the Department's website.

#### Williamson Act Lands

The Department recommends that the following information be included in the DEIR/S regarding Williamson Act lands impacted by project implementation.

As a general rule, land can be withdrawn from Williamson Act contract only through the nine-year nonrenewal process. Immediate termination via cancellation is reserved for "extraordinary", unforeseen situations (See Sierra Club v. City of Hayward (1981) 28 Cal.3d 840, 852-855)). Furthermore, it has been held that "cancellation is inconsistent with the purposes of the (Williamson) act if the objectives to be served by cancellation should have been predicted and served by nonrenewal at an earlier time, or if such objectives can be served by nonrenewal now" (Sierra Club v. City of Hayward). Given the extended phasing and time periods involved in a city's or county's general plan, it appears feasible to utilize the nonrenewal process if contract termination is necessary for implementation of the Plan.

- If cancellation is proposed, notification must be submitted to the Department when the County or City accepts the application as complete (Government Code §51284.1). The board or council must consider the Department's comments prior to approving a tentative cancellation. Required findings must be made by the board or council in order to approve tentative cancellation. Cancellation involving FSZ contracts include additional requirements. We recommend that the DEIR/S include discussion of how cancellations involved in this project would meet required findings. However, notification must be submitted separately from the CEQA process and CEQA documentation. (The notice should be mailed to the Director of the Department of Conservation, c/o Division of Land Resource Protection, 801 K Street MS 18-01, Sacramento, CA 95814-3528).
- Pursuant to Government Code §51243, if a city annexes land under Williamson Act contract, the city must succeed to all rights, duties and powers of the county under the contract unless conditions in §51243.5 apply to give the city the option to not succeed to the contract. A Local Agency Formation Commission (LAFCO) must notify the Department within 10 days of a city's proposal to annex land under contract (Government Code §56753.5). A LAFCO must not approve a change to a sphere of influence or annexation of contracted land to a city unless specified conditions apply (Government Code §§51296.3, 56426, 56426.5, 56749 and 56856.5).
- Termination of a Williamson Act/FSZ contract by acquisition can only be accomplished by a public agency, having the power of eminent domain, for a public improvement. The Department must be notified in advance of any proposed public acquisition (Government Code §51290 - 51292), and specific findings must be made. The property must be acquired in accordance with eminent domain law by eminent domain or in lieu of eminent domain in order to void the contract (§51295). The public agency must consider the Department's comments prior to taking action on the acquisition. School districts are precluded from acquiring land under FSZ contract. We recommend discussion in the DEIR/S of whether such action is envisioned by this project and how the acquisition will meet the required findings. However, notification must be submitted separately from the CEQA process and CEQA documentation to the address noted above.
- If any part of the site is to continue under contract, or remain within an agricultural preserve, after project completion, the DEIR/S should discuss the proposed uses for

those lands. Uses of contracted and preserve land must meet compatibility standards identified in Government Code §51238 - 51238.3, 51296.7. Otherwise, contract termination (see above) must occur prior to the initiation of the land use, or the preserve must be disestablished.

- An agricultural preserve is a zone authorized by the Williamson Act, and established by the local government, to designate land qualified to be placed under contract. Preserves are also intended to create a setting for contract-protected lands that is conducive to continuing agricultural use. Therefore, the uses of agricultural preserve land must be restricted by zoning or other means so as not to be incompatible with the agricultural use of contracted land within the preserve (Government Code §51230). The DEIR/S should also discuss any proposed general plan designation or zoning within agricultural preserves affected by the Plan and its related projects.

### Mitigation Measures

The Department encourages the use of agricultural conservation easements on land of at least equal quality and size as partial compensation for the direct loss of agricultural land. If a Williamson Act contract is terminated, or if growth inducing or cumulative agricultural impacts are involved, we recommend that this ratio be increased. We highlight this measure because of its acceptance and use by lead agencies as mitigation under CEQA. It follows a rationale similar to that of wildlife habitat mitigation. The loss of agricultural land represents a permanent reduction in the State's agricultural land resources. Agricultural conservation easements will protect a portion of those remaining resources and lessen project impacts in accordance with CEQA Guideline §15370.

Mitigation using agricultural conservation easements can be implemented by at least two alternative approaches: the outright purchase of easements or the donation of mitigation fees to a local, regional or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural conservation easements. The conversion of agricultural land should be deemed an impact of at least regional significance, and the search for replacement lands conducted regionally or statewide, and not limited strictly to lands within the project's surrounding area.

Other forms of mitigation may be appropriate for this project, including the following:

- Protecting farmland in the project area or elsewhere in the County through the use of less than permanent long-term restrictions on use such as 20-year Farmland Security Zone contracts (Government Code §51296 et seq.) or 10-year Williamson Act contracts (Government Code §51200 et seq.).
- Directing a mitigation fee to invest in supporting the commercial viability of the remaining agricultural land in the project area, County or region through a mitigation bank that invests in agricultural infrastructure, water supplies, marketing, etc.
- The Department also has available listing of approximately 30 "conservation tools" that have been used to conserve or mitigate project impacts on agricultural land. This compilation report may be requested from the Division at the address or phone number below.

Although the direct conversion of agricultural land and other agricultural impacts are often deemed to be unavoidable by an agency's CEQA analysis, mitigation measures must nevertheless be considered. The adoption of a Statement of Overriding Consideration does not absolve the agency of the requirement to implement feasible mitigation that lessens a project's impacts. A principal purpose of an EIR is to present a discussion of mitigation measures in order to fully inform decision-makers and the public about ways to lessen a project's impacts. In some cases, the argument is made that mitigation cannot reduce impacts to below the level of significance because agricultural land will still be converted by the project, and, therefore, mitigation is not required. However, reduction to a level below significance is not a criterion for mitigation. Rather, the criterion is feasible mitigation that lessens a project's impacts. Pursuant to CEQA Guideline 15370, mitigation includes measures that "avoid, minimize, rectify, reduce or eliminate, or compensate" for the impact. For example, mitigation includes *"Minimizing impacts by limiting the degree or magnitude of the action and its implementation (§15370(b))"* or *"Compensating for the impact by replacing or providing substitute resources or environments (§15370(e))."*

All measures ostensibly feasible should be included in the DEIR/S and subsequent documents. Each measure should be discussed, as well as the reasoning for selection or rejection. A measure brought to the attention of the Lead Agency should not be left out unless it is infeasible on its face.

Finally, when presenting mitigation measures in the DEIR/S, it is important to note that mitigation should be specific, measurable actions that allow monitoring to ensure their implementation and evaluation of success. A mitigation consisting only of a statement of intention or an unspecified future action may not be adequate pursuant to CEQA.

Information about agricultural conservation easements, the Williamson Act and provisions noted above is available on the Department's website or by contacting the Division at the address and phone number listed below. The Department's website address is:

<http://www.conservation.ca.gov/dlrp/index.htm>

Thank you for the opportunity to comment on this NOP. The Department looks forward to receiving a copy of the DEIR/S. If you have questions on our comments or require technical assistance or information on agricultural land conservation, please contact Jeannie Blakeslee 801 K Street, MS 18-01, Sacramento, California 95814; or, phone (916) 323-4943.

Sincerely,



Dennis J. O'Bryant  
Acting Assistant Director

cc: State Clearinghouse

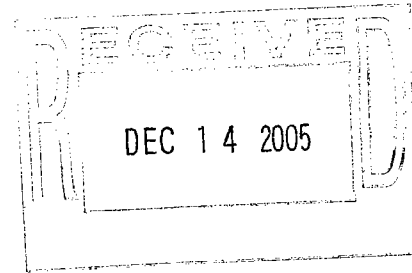
**GOVERNOR'S OFFICE OF EMERGENCY SERVICES**

Disaster Assistance Program Branch  
Technical Assistance Programs  
3650 Schriever Avenue  
Mather, CA 95655  
Phone: (916) 845-8265 Fax: (916) 845-8382



December 12, 2005

Mr. Dan Leavitt, Deputy Director  
California High Speed Rail Authority  
925 L Street, Suite 1425  
Sacramento, CA 95814



Re: Comments on Notice of Preparation (SCH 2005112051)

Dear Mr. Leavitt:

Thank you for the opportunity to review the Notice of Preparation (NOP) for the Program Environmental Impact Report (PEIR) for the Bay Area to Central Valley High Speed Train System (HST). The Governor's Office of Emergency Services has the responsibility for coordinating and planning emergency management activities and disaster recovery operations. Therefore, OES and the California High-Speed Rail Authority (CHSRA) share similar concerns regarding safety and minimizing the possibility of emergency response due to accidents, or natural or man-made disasters. Based on information in the NOP, we recommend the following issues be evaluated during the preparation of the PEIR which will help determine the location of routes and station locations.

**Flooding**

The PEIR should determine if any possible routes would be located in a dam inundation area (DIA) or within an area where there would be an unacceptable flooding risk according to any standard(s) established by the Federal Rail Authority or by federal or state law, regulation or guideline. The PEIR should identify mitigation measures to minimize injuries or loss of life or damage to the train system if any of the potential routes pass through a DIA or flood prone area.

**Seismic Safety**

Within the possible alignment area, there are several earthquake fault systems including the Hayward, Calaveras, Greenville, and Great Valley faults. The PEIR should identify the location of these faults and determine how each fault could affect the safety and operation of the HST system. Project design features that are used to minimize any adverse impact(s) should be described in enough detail so that they can be clearly understood.

### **Fire Safety**

Are there any potential routes that would be adversely affected due to wild land fires? Would the fire or smoke from a wild land fire affect operations and place the passengers and crew of the HST in any risk?

### **Land Slides**

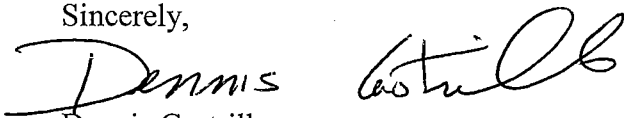
It is possible that the future alignment could pass through areas of unstable slopes subject to land slides. The PEIR should identify potential slide locations, if any, and determine if landslides could affect the safety and operation of the HST system. The presence of unstable slopes could also significantly affect future repair and maintenance costs if landslides should occur.

### **Emergency Response and Evacuation**

The CEQA Initial Study Checklist requires agencies to determine if a project could affect an emergency response or evacuation plan (See Appendix G - VII, G - of the CEQA Initial Study Checklist). Would any of the potential routes for the HST have a positive or negative affect on the emergency response or evacuation plan of any city or county or public safety agency? The PEIR should also examine the response times of fire and police agencies serving any of the proposed stations and determine if response times provide an adequate level of protection.

Please keep me informed about your progress on the PEIR and future environmental documents for this important project. Should you have any questions please feel free to contact me at 916/845/8270 or at [dennis.castrillo@oes.ca.gov](mailto:dennis.castrillo@oes.ca.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Dennis Castrillo". The signature is fluid and cursive, with the first name "Dennis" written in a larger, more prominent script than the last name "Castrillo".

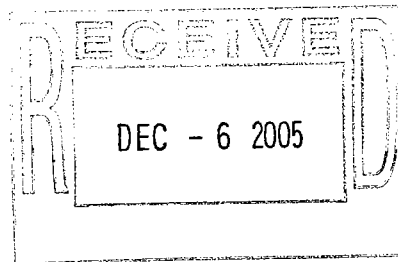
Dennis Castrillo  
OES Environmental Officer

# State of California HEALTH AND HUMAN SERVICES AGENCY



S. KIMBERLY BELSHÉ  
SECRETARY

December 1, 2005



Dan Leavitt, Deputy Director  
California High-Speed Rail Authority  
925 L Street, Suite 1425  
Sacramento 95814

Subject: Response to Notice of Preparation of a Program EIR/EIS for a Bay Area to Central Valley High Speed Train

Dear Mr. Leavitt:

I have been asked to respond to your November 14, 2005 Notice of Preparation addressed to Health and Human Services Agency Secretary Kimberly Belshé regarding possible environmental impacts for a proposed high-speed train system from the Bay Area to the Central Valley (the system). I have canvassed the departments within the Health and Human Services Agency, and only the Department of Health Services (DHS) has identified potential environmental impacts for the system. In particular, DHS identifies the system's potential impact on drinking water as an issue that would require DHS' review of the EIR and continued monitoring as final route decisions are made.

Thank you for the opportunity to respond to the Notice of Preparation. Please feel free to contact me if you have any other issues related to the system that may relate to the Health and Human Services Agency.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank Furtek".

Frank Furtek  
Agency Chief Counsel

Enclosure

Agency  
Departments &  
Boards:

Aging

Alcohol and  
Drug Programs

Child Support  
Services

Community Services  
and Development

Developmental  
Services

Emergency Medical  
Services Authority

Health Services

Health and  
Human Services  
Data Center

Managed Risk  
Medical Insurance

Mental Health

Rehabilitation

Social Services

Statewide Health  
Planning and  
Development

## **Furtek, Frank (CHHS)**

---

**From:** Delgadillo, Terri (CHHS)  
**Sent:** Tuesday, November 29, 2005 8:14 AM  
**To:** Furtek, Frank (CHHS)  
**Subject:** FW: Ca Train Notice of Preparation for an EIR/EIS for the High speed train project

Thanks

-----Original Message-----

**From:** Reilly, Kevin (DHS-PS)  
**Sent:** Monday, November 28, 2005 11:33 AM  
**To:** Delgadillo, Terri (CHHS)  
**Cc:** Reiland, Gina (CHHS); Howell, Rufus (DHS-DDWEM); Rodriguez, Richard (DHS-PS); Ayala, Michael (DHS-PS)  
**Subject:** Ca Train Notice of Preparation for an EIR/EIS for the High speed train project

Terri - we have taken a quick look at the Notice of Preparation forwarded to the Secretary by the CA High-Speed Rail Authority (HST). I am trying to determine if we had the opportunity to review the completed EIR/EIS for the HST project noted in the NOP. This is a little curious in that the schedule has a draft EIR/EIS to be published in November 2006 (perhaps the referenced EIR/EIS was for the purposes of federal NEPA). Drinking water issues are likely the only significant issue that CDHS would have authority over requiring our review of the EIR and continued monitoring as final route decisions are made.



## **Furtek, Frank (CHHS)**

---

**To:** Brown, Catherine@DOR  
**Subject:** California High Speed Rail Authority

Catherine: Agency received a notice of preparation regarding building a high speed train system. The California High Speed Rail Authority asked for input from those departments that may be affected by the project. I have contacted DHS, who will provide a response, but thought maybe DOR may have some thoughts about disability access. It may be a stretch, but if you could look at the notice, and provide comment, I would appreciate it. Please note the very short turnaround time identified; the sooner you provide input, the better. I will send to you a hard copy of the notice through interoffice mail. Thanks, Frank

DHS  
• Drinking water

URGENT

Reiland, Gina (CHHS)

---

Modified: Mon 11/21/2005 12:24 PM

11/21/05

To: Frank Furtak

From: Terri Delgadillo

Subject: California High-Speed Rail Authority

Frank,

Terri needs your guidance on the following document. She sent this over to DHS Prevention Services, but she isn't sure if others will be impacted. Please note the very short turnaround time.

Thank you.

Francés (Fran) Florez, Chair  
Marc Adelman, Vice-Chair  
Donna Andrews, Vice-Chair  
Roc Diridon  
Robert Giroux  
Joseph E. Petrillo  
Lynn Schenk  
T.J. (Tom) Stapleton

Mehdi Morshed, Executive Director



ARNOLD SCHWARZENEGGER  
GOVERNOR



TD - Do we  
have a ?  
here  
KS

## CALIFORNIA HIGH-SPEED RAIL AUTHORITY

SCH 2005112051

### NOTICE OF PREPARATION

TO: Kimberley Belshe  
Secretary  
California Health and Human Services  
1600 9th Street, Rm 460  
Sacramento, CA, 95814

FROM: Mehdi Morshed  
Executive Director  
California High-Speed Rail Authority  
925 L Street, Suite 1425  
Sacramento, California 95814

**SUBJECT:** Notice of Preparation of a Program Environmental Impact Report / Environmental Impact Statement (Program EIR/EIS) for a Bay Area to Central Valley High-Speed Train; References: Division 13, Public Resources Code, Section 21080.4 (CEQA) and 40 Code of Federal Regulations 1501.7 and 1508.22 (NEPA).

This is to inform you that the California High-Speed Rail Authority (Authority) as the Lead Agency for the CEQA process for a proposed California High-Speed Train system, has determined that it would be appropriate to prepare a Program EIR/EIS for the Bay Area to Central Valley segment of the High-Speed Train (HST) system at this conceptual stage of planning and decision-making, which would involve defining and evaluating alternative corridors, and station locations.

This NOP initiates the CEQA process. The Federal Railroad Administration (FRA), an operating administration within the United States Department of Transportation, will serve as federal lead agency for the environmental review. The FRA has responsibility for oversight of the safety of railroad operations, including the safety of any proposed high-speed train system. The FRA will publish a Notice of Intent (NOI) in the *Federal Register* announcing the agency's intention to initiate the federal environmental review process for this segment of the HST project.

The Authority and the FRA recently completed a Program EIR/EIS as the first-phase of a tiered environmental review process for the Proposed California HST system, and as part of the selected HST Alternative defined a broad corridor between the Bay Area and Central Valley generally bounded by (and including) the Pacheco Pass (SR-152) to the South, the Altamont Pass (I-580) to the North, the BNSF Corridor to the East, and the Caltrain Corridor to the West.<sup>45</sup> The Bay Area to Central Valley HST Program EIR/EIS will further examine this broad corridor as the next phase of the tiered environmental review process. Later stages of HST system development will include tiered site-specific project environmental documents to assess the impacts of the individual HST projects being implemented and site(s) chosen before construction.

The preparation of this Bay Area to Central Valley HST Program EIR/EIS is being coordinated with the concurrent preparation of a Bay Area Regional Rail Plan by a coalition of the San Francisco Bay Area Rapid Transit District (BART), the Metropolitan Transportation Commission (MTC), the Peninsula Joint Powers Board (Caltrain) and the Authority. Bay Area voters in 2004 passed Regional Measure 2, which requires MTC to adopt a Regional Rail Plan. As stipulated in the Streets and Highways Code Section 30914.5 (f), the Regional Rail Plan will define the future passenger rail transportation network for the nine-county San Francisco Bay Area, including an evaluation of the HST options. Information on the Regional Rail Plan is available on the internet at: [www.bayarearailplan.info].

<sup>45</sup> Highway route numbers are provided only as a convenient reference for the reader, not as a limitation on the corridor to be considered.

Public scoping meetings together with regional rail plan workshops have been scheduled as an important component of the scoping process for both the state and federal environmental review. Scoping meetings will be advertised locally and additional public notice will be provided separately with the dates, times, and locations of these scoping meetings. Scoping meetings are scheduled for the following major cities:

- **Oakland** on November 29, 2005 – Joseph P. Bort Metrocenter, Larry Dahms Auditorium, 101 Eighth Street, from 3 p.m. to 5 p.m. and 6 p.m. to 8 p.m.
- **San Jose** on November 30, 2005 – New San Jose City Hall – Council Wing, Community Room, W120, 200 East Santa Clara Street, from 3 p.m. to 5 p.m. and 6 p.m. to 8 p.m.
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- **Modesto** on December 6, 2005 – Double Tree Hotel, 1150 Ninth Street, Modesto, from 3 p.m. to 5 p.m. and 6 p.m. to 8 p.m.
- **Suisun City** on December 8, 2005 – Suisun City Hall, Council Chambers, 701 Civic Center Blvd., from 3 p.m. to 5 p.m. and 6 p.m. to 8 p.m.

In response to this NOP, you are requested to advise the Authority of the applicable environmental review requirements of your agency, and the scope and content of the environmental information that is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the Program EIR/EIS prepared by our agency when considering your approvals or future permits for the HST project.

The need for a HST system is directly related to the expected growth in population and resulting increases in intercity travel demand in California over the next twenty years and beyond. As a result of this growth in travel demand, there will be more travel delays from the growing congestion on California's highways and at airports. In addition, there will be effects on the economy and quality of life from a transportation system that is less and less reliable as travel demand increases and deteriorating air quality in and around our metropolitan areas. The intercity highway system, commercial airports, and conventional passenger rail serving the intercity travel market are currently operating at or near capacity, and will require large public investments for maintenance and expansion in order to meet existing demand and future growth. The proposed HST system would provide a new mode of high-speed intercity travel that would link the major metropolitan areas of the state; interface with international airports, mass transit, and highways; and provide added capacity to meet increases in intercity travel demand in California in a manner sensitive to and protective of California's unique natural resources.

The Authority and the FRA recently completed a Program EIR/EIS for the proposed California HST System. The proposed HST system would be over 700-miles long, capable of speeds over 200 miles per hour with electrically powered trains on fully grade-separated tracks with state-of-the-art safety, signaling, and train control systems. The proposed system would connect and serve California's major metropolitan areas, extending from Sacramento and the San Francisco Bay Area through the Central Valley to Los Angeles and San Diego. The Program EIR/EIS established the purpose and need of the HST system, analyzed a proposed high-speed train alternative, and compared it with a No Project/No Action Alternative and a Modal Alternative. Through the Program EIR/EIS, the Authority and the FRA selected the HST Alternative and selected certain corridors/general alignments, general station locations, mitigation strategies, design practices and further measures to guide development of the HST system at the site-specific project level to avoid and minimize potential adverse environmental impacts. For the Bay Area to Central Valley segment, the Authority and the FRA selected a broad corridor between the Bay Area and the Central Valley containing a number of feasible route options and proposed further study to make programmatic selections of alignments and stations.<sup>46</sup> This corridor is generally bounded by (and includes) the Pacheco Pass (SR-152) to the south, the Altamont Pass (I-580) to the north, the BNSF Corridor to the east, and the Caltrain Corridor to the west, but the Authority would not pursue alignment options through Henry Coe State Park and station options at Los Banos.

---

<sup>46</sup> The FRA consulted with the Council on Environmental Quality (CEQ), and CEQ concurred that the proposed approach would be consistent with NEPA and would provide for compliance with Section 404 of the Clean Water Act.

This next Program EIR/EIS would help to identify a preferred alignment connecting the Bay Area to the Central Valley HST system segment. Alternatives to be evaluated and analyzed in the "Bay Area to Central Valley HST Program EIR/EIS" include (1) take no action (No-Project); and (2) alternative HST corridor, alignment, and station options for construction of a steel-wheel-on-steel-rail HST system through the previously defined broad corridor from the Central Valley and terminating at stations in the San Francisco Bay area (see Attachment A – Alternatives Description). Possible environmental impacts include displacement of commercial and residential properties; community and neighborhood impacts and disruption; increased noise along rail corridors; traffic impacts associated with stations; effects to historic properties or archaeological sites; impacts to parks and recreation resources; visual quality effects; exposure to seismic and flood hazards; impacts to water resources, wetlands, and sensitive biological species and habitat; land use compatibility impacts; energy use; and impacts to agricultural lands.

Due to the time limits mandated by state law, your response must be sent at the earliest possible date but not later than 30 days after receipt of this notice. We invite your suggestions about the range of alternatives and the potential impacts to be addressed in the Bay Area to Central Valley HST Program EIR/EIS. See Attachment B – Program EIR/EIS Schedule for our planned two-year process.

Please send your response and direct any comments or questions regarding this project to Dan Leavitt, Deputy Director of the California High-Speed Rail Authority at the address shown above.

Date: November 14, 2005

Signature: \_\_\_\_\_

Mehdi Morshed, Executive Director

DHS

- drinking water
- air
- Lab (nicknamed)

## **ATTACHMENT A – ALTERNATIVES DESCRIPTION**

The California High-Speed Rail Authority (Authority) and the Federal Railroad Administration (FRA) will seek to identify the most practical and feasible high speed train (HST) options for analysis with a No-Project Alternative in the Bay Area to Central Valley HST Program EIR/EIS. The Authority and FRA will consider all reasonable alternative HST alignment and station options at a programmatic level of analysis within a broad corridor between the Bay Area and Merced generally bounded by (and including) the Pacheco Pass (SR-152) to the South, the Altamont Pass (I-580) to the North, the BNSF Corridor to the East, and the Caltrain Corridor to the West.<sup>1</sup> The alternatives will include:

### **NO-PROJECT ALTERNATIVE**

The take no action (No-Project) alternative is defined to serve as the baseline for comparison of HST alternatives. The No-Build Alternative represents the state's transportation system (highway, air, and conventional rail) as it exists in 2005 and as it would be after implementation of programs or projects currently programmed for implementation and projects that are expected to be funded by 2020. The No-Project Alternative addresses the same geographic area as the proposed HST (generally from the San Francisco Bay Area to the Central Valley). The No-Build Alternative satisfies the statutory requirements under CEQA and NEPA for an alternative that does not include any new action or project beyond what is already committed, according to the following sources of information:

- State Transportation Improvement Program (STIP)
- Regional Transportation Plans (RTPs) for all modes of travel
- Airport plans
- Intercity passenger rail plans (Amtrak Five- and Twenty-year Plans)

### **HIGH-SPEED TRAIN ALTERNATIVES**

The Authority and FRA previously selected a steel-wheel-on-steel-rail HST system for advancement, which would be over 700 miles long (1,126-kilometers long), capable of speeds in excess of 200 miles per hour (mph) (320 kilometers per hour [km/h]) with electrically powered trains on fully grade-separated tracks, with state-of-the-art safety, signaling, and automated train control systems that would serve the major metropolitan centers of California, extending from Sacramento and the San Francisco Bay Area, through the Central Valley, to Los Angeles, Orange County, the Inland Empire, and San Diego.

#### **High-Speed Train Corridors**

The Authority and FRA also selected a broad HST corridor between the Bay Area and Central Valley for the proposed HST System. Within this corridor there are several potential alignment and station location options that will be considered. In heavily constrained urban areas, alignment options that assume sharing corridors and/or tracks with other passenger rail services will be considered. The Authority and FRA will consider all reasonable and practical alignment and station options and will focus the program environmental analysis on the alternatives that best meet the purpose and need of the HST system. The broad high-speed train corridor is illustrated on Figure A. Within the previously selected broad corridor, the Authority would not pursue alignment options through Henry Coe State Park and station options at Los Banos.

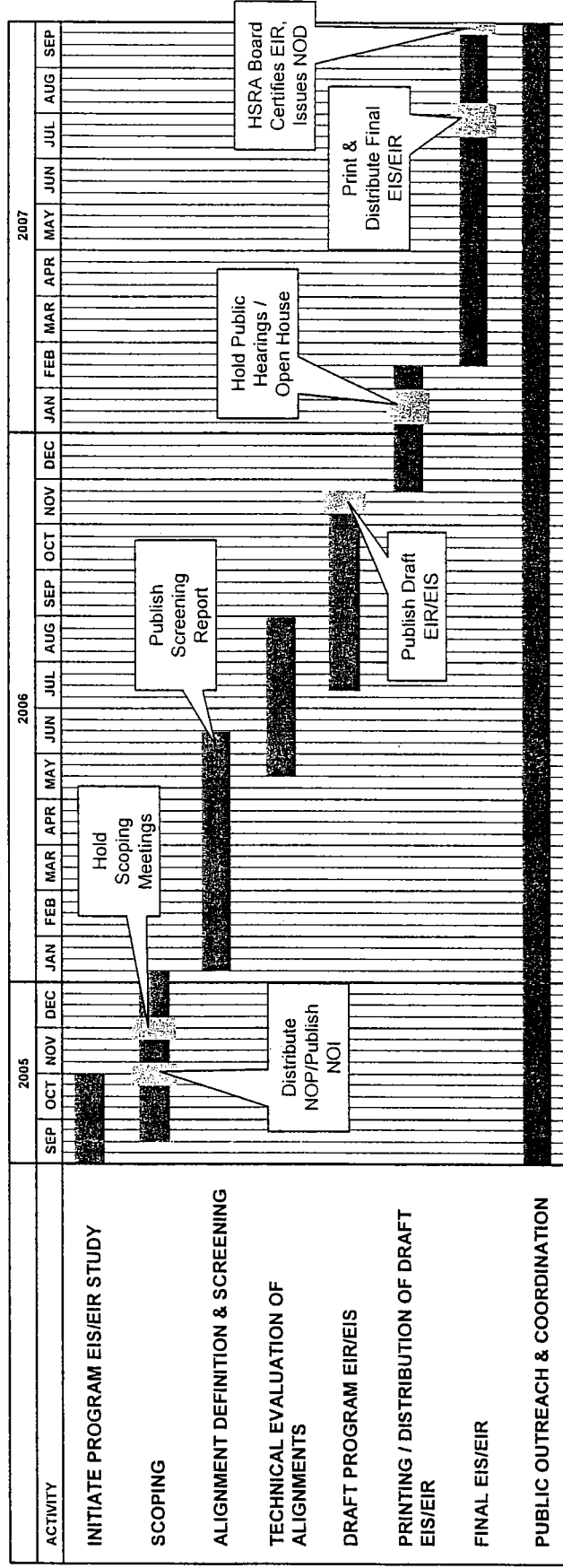
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<sup>1</sup> Highway route numbers are provided only as a convenient reference for the reader, not as a limitation on the corridor to be considered.



**FIGURE B**

**BAY AREA TO CENTRAL VALLEY TIER I EIS/PROGRAM EIR**  
Summary Schedule – September, 2005





Francis (Fran) Florez, Chair  
Marc Adelman, Vice-Chair  
Donna Andrews, Vice-Chair  
Roc Diridon  
Robert Giroux  
Joseph E. Petrillo  
Lynn Schenk  
T.J. (Tom) Stapleton

Mehdi Morshed, Executive Director



ARNOLD SCHWARZENEGGER  
GOVERNOR



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here?  
KS

## CALIFORNIA HIGH-SPEED RAIL AUTHORITY

SCH 2005112051

### NOTICE OF PREPARATION

TO: Kimberley Belshe  
Secretary  
California Health and Human Services  
1600 9th Street, Rm 460  
Sacramento, CA, 95814

FROM: Mehdi Morshed  
Executive Director  
California High-Speed Rail Authority  
925 L Street, Suite 1425  
Sacramento, California 95814

**SUBJECT:** Notice of Preparation of a Program Environmental Impact Report / Environmental Impact Statement (Program EIR/EIS) for a Bay Area to Central Valley High-Speed Train; References: Division 13, Public Resources Code, Section 21080.4 (CEQA) and 40 Code of Federal Regulations 1501.7 and 1508.22 (NEPA).

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Date: November 14, 2005

Signature: \_\_\_\_\_

Mehdi Morshed, Executive Director

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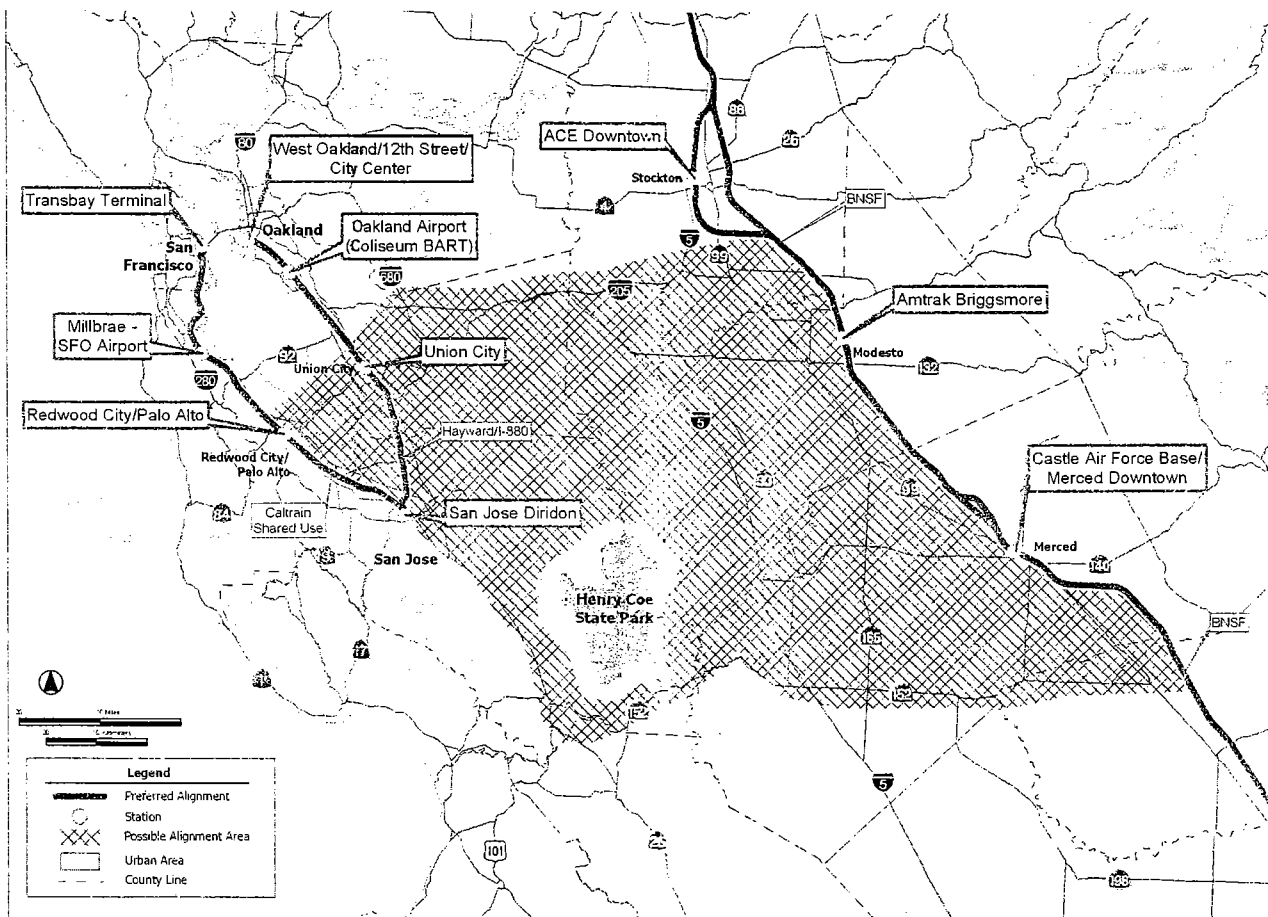
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## Stations

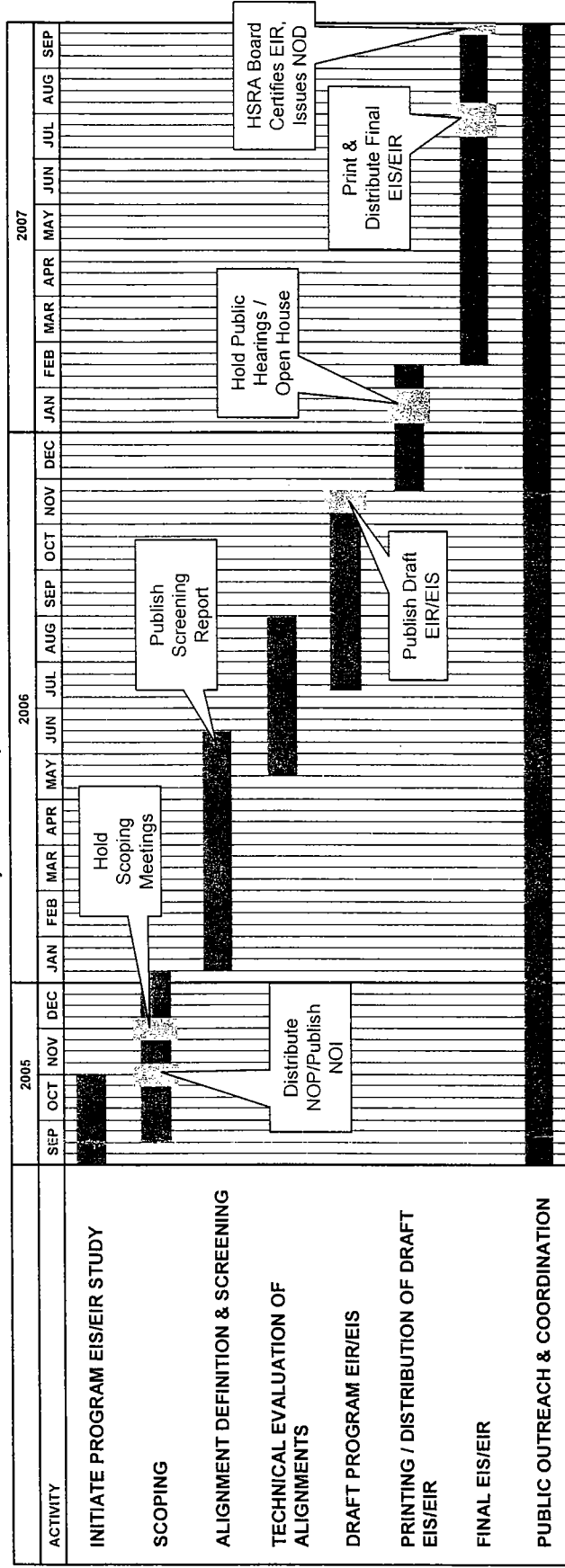
Station placement will be determined based on ridership potential, system-wide needs, local planning constraints/conditions, and the application of the station area development principles described in Chapter 6B of the Final Program EIR/EIS for the Proposed HST System. Station placement will be coordinated with local and regional planning agencies, and will provide for seamless connectivity with other modes of travel. Potential station locations to be further evaluated include : Merced, Modesto, Tracy, Gilroy, San Jose, Redwood City/Palo Alto, San Francisco International Airport (SFO), San Francisco, Pleasanton, Fremont/Union City, Oakland International Airport (OAK), and Oakland. The potential sites listed represent general locations for planning purposes.

### Figure A



**FIGURE B**

**BAY AREA TO CENTRAL VALLEY TIER I EIS/PROGRAM EIR**  
Summary Schedule - September, 2005



DEC 16 2005 10:01 CMT:RMS 3100334310 P.01/03

December 16, 2005

Fax To: Dan Leavitt  
Deputy Director  
California High-Speed Rail Authority  
925 L Street, Suite 1425  
Sacramento, CA 95814

916/322-0827

From: Betty Miller  
California Department of Transportation  
916/653-0808

Enclosed are the California Department of Transportation's comments to  
SCH#2005112051, NOP, Program EIR/EIS for a Bay Area to Central Valley High-Speed  
Train.

Thank you.

Betty

Total Pages: 9

**DEPARTMENT OF TRANSPORTATION**

DIVISION OF TRANSPORTATION PLANNING, MS-32

1120 N STREET

P. O. BOX 942874

SACRAMENTO, CA 94274-0001

PHONE (916) 653-0808

FAX (916) 653-4570

*Flex your power!  
Be energy efficient!*

December 16, 2005

Dan Leavitt

Deputy Director

California High-Speed Rail Authority

925 L Street, Suite 1425

Sacramento, CA 95814

**Subject: SCH#2005112051, Notice of Preparation of a Program Environmental Impact Report/Environmental Impact Statement (Program EIR/EIS) for a Bay Area to Central Valley High-Speed Train; References: Division 13, Public Resources Code, Section 21080.4 (CEQA) and 40 Code of Federal Regulations 1501.7 and 1508.22 (NEPA), your letter to the Governor's Office of Planning and Research, dated November 14, 2005.**

Dear Mr. Leavitt:

The California Department of Transportation (Department) is pleased to respond to the subject request to advise the California High-Speed Rail Authority (Authority) of the applicable environmental review requirements and the scope and content of the environmental information that is germane to the Department's statutory responsibilities in connection with the proposed project.

We understand that the State Highway System (SHS) route numbers provided in the subject Notice are, at this stage of the proposed project, for convenient reference. Considering the statewide, regional and areawide significance of the proposed project and its potential to impact the SHS, however, the Department offers the following comments to assist in your preparation of the Program Environmental Impact Report/Environmental Impact Statement (Program EIR/EIS):

1. Disclose potential impacts to international airports, mass transit, and highways with which the High-Speed Train (HST) will interface;
2. Address potential impacts of auto trips to stations located near SHS freeways and highways;
3. Please be aware that a *Cooperative Agreement* between the Authority and the Department shall be required prior to any development activity occurring (such as a Project Study Report and Plans, Specifications and Estimates documents) for improvements to the SHS (HST system crossings within the Department's Right of Way);
4. Construction by the Authority of improvements which lie within the SHS Right of Way cannot commence until the Authority's original contract plans, involving such work and plans for utility relocations, are approved by the Department's District Director (or delegated agent), and until the Department authorizes such work with encroachment permits;

*"Caltrans improves mobility across California"*



Dan Leavitt, Deputy Director  
California High-Speed Rail Authority  
December 16, 2005  
Page 2

5. The Program EIR/EIS should include a Water Quality section to address any potential impacts to water quality that the project may have on adjacent receiving water bodies. Discharges originating from within project limits entering the Department's Right of Way will need to comply with the Department's statewide National Pollutant Discharge Elimination System (NPDES) permit with the State Water Resources Control Board (construction as well as permanent runoff);
6. Best management practices (BMPs) that will be considered to address construction and permanent impacts should be mentioned (Construction site BMPs, Design Pollution Prevention BMPs, and Treatment BMPs);
7. In planning for construction staging impacts to SHS facilities, there may be a need for detailed analysis of potential impacts during project level environmental review.

Attached is a copy of the Department's *Guidelines for Submitting Transportation Information from a Reporting or Monitoring Program to the California Department of Transportation*, for your review, and ideally, assistance.

If you have questions regarding our comments, please telephone me at 916/653-0808, or E-mail to: [betty\\_l\\_miller@dot.ca.gov](mailto:betty_l_miller@dot.ca.gov). The Department appreciates the opportunity to submit its comments.

Sincerely,



Betty Miller

Statewide Local Development-Intergovernmental Review Coordinator  
Office of Community Planning

Attachment

- c: T. Roberts, California Governor's Office of Planning and Research  
L. Carboni, Intergovernmental Review Coordinator, District 4  
T. Sable, Chief, Intergovernmental Review/CEQA Branch, District 4

**California Department of Transportation (Department)**

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**GUIDELINES FOR SUBMITTING TRANSPORTATION  
INFORMATION FROM A REPORTING OR MONITORING  
PROGRAM TO THE CALIFORNIA DEPARTMENT OF  
TRANSPORTATION (DEPARTMENT)**

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**INTRODUCTION** The California Environmental Quality Act (CEQA) requires, under Public Resources Code (PRC) Section 21081.6, the adoption of reporting or monitoring programs when public agencies include environmental impact mitigation as a condition of project approval. Reporting or monitoring takes place after project approval to ensure implementation of the project in accordance with mitigation adopted during the CEQA review process.

Assembly Bill 1807 (effective January 1, 2001) amended the PRC in a number of ways. Section 21080.4 was amended to add a requirement that lead agencies submit Notices of Preparation (NOPs) to the Governor's Office of Planning and Research when they determine that an environmental impact report will be required to approve a project.

Section 21081.7 was amended with two additional provisions. The first provision required that transportation information resulting from a reporting or monitoring program adopted by a public agency in accordance with Section 21081.6 be submitted to the Department of Transportation (Department) when a project has impacts that are of statewide, regional, or area-wide significance. The second provision required that the Department adopt guidelines for the submittal of those reporting or monitoring programs.

**PURPOSE** The purpose of these guidelines is to establish clear and consistent statewide procedures to be used by both Department District Intergovernmental Review (IGR) Program Coordinators to identify the scope and timing of transportation information needed from lead agencies, and public agencies when submitting transportation information to the Department, in accordance with Section 21081.7.

## Mitigation Reporting or Monitoring Submittal Guidelines

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### PROCEDURES

A. The District IGR Program Managers and/or Coordinators shall:

1. Prior to implementation of mitigation measures:

- a. Notify the CEQA lead agency by letter during "early consultation," the Notice of Preparation (NOP) stage, or the Initial Study (IS) phase of the CEQA review process that the transportation information included in the reporting or monitoring program will need to be provided to the Department following project mitigation agreement.
- b. Provide the name, address, and telephone number of the District IGR contact to the lead agency.
- c. Provide, as an enclosure to the notification letter, a copy of these "Guidelines" and the Department's "CEQA Lead Agency Checklist/Certification" form. (Part 1 of the form, *Checklist*, is to be signed by the lead agency following project approval, and a copy submitted to the District along with the transportation reporting or monitoring information. Part 2 of the form, *Certification*, is to be signed by the lead agency and the District upon implementation of all agreed-upon mitigation measures.)

2. Following implementation of mitigation measures as identified in Part 1, *Checklist*, of the CEQA Lead Agency Checklist/Certification form, and certification of implementation by the lead agency in Part 2, *Certification*:

Ensure sign off of Part 2, indicating that the mitigation measures have been implemented.

- 1) If the project required encroachment onto a state highway, obtain the District Permit Engineer's signature in Part 2.
- 2) If the project did not involve encroachment onto a state highway, the District IGR Coordinator shall sign Part 2.

**Mitigation Reporting or Monitoring Submittal Guidelines**

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- 3) The District IGR Coordinator shall: (a) Retain the original document; (b) forward a copy to the District Permit Engineer (if the Permit Engineer signed Part 2); (c) forward a copy to the Department's Headquarters IGR Program Manager; and, (d) send a copy to the lead agency.

**B. The CEQA lead agency shall:**

**1. Following project approval:**

Submit the following information to the Department District IGR contact:

- 1) Name, address, and telephone number of the CEQA lead agency contact responsible for the mitigation reporting or monitoring program.
- 2) Location and custodian of the documents or other material, which constitute the record of proceedings upon which the lead agency's decision to approve the project is based.
- 3) Assurances that the Department can obtain copies of the aforementioned documents and materials, if needed, to clarify details or resolve issues related to the mitigation adopted.
- 4) Detailed information on impact assessment methods, the type of mitigation, specific location, and implementation schedule for each transportation impact mitigation measure included in the reporting or monitoring program.
- 5) A copy of the "CEQA Lead Agency Checklist/Certification" form, with Part 1, *Checklist*, signed and dated, and the reporting or monitoring program transportation information attached or enclosed. The CEQA lead agency, at its discretion, may submit the complete reporting or monitoring program with the required transportation information highlighted.



Guidelines for Submitting  
Transportation Information from a  
Reporting or Monitoring Program to  
the California Department of  
Transportation

*for a*  
**Project of Statewide, Regional, or  
Areawide Significance**

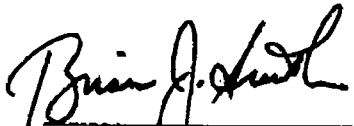
California Department of Transportation

July 9, 2004

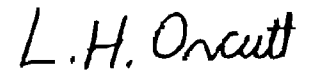
Mitigation Reporting or Monitoring Submittal Guidelines  
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2. Following implementation of mitigation measures:
  - a. Sign and date Part 2, *Certification*, of the "CEQA Lead Agency Checklist/Certification" form.
  - b. Forward the "CEQA Lead Agency Checklist/Certification" form, with appropriate completion documents attached, to the District IGR contact, certifying that the mitigation measures agreed upon and identified in the reporting or monitoring program have been implemented, and that all other reporting requirements have been adhered to, in accordance with PRC Sections 21081.6 and 21081.7.

**APPROVED:**

  
BRIAN J. SMITH  
Deputy Director  
Planning and Modal Programs

8-2-04  
Date

  
LARRY ORCUTT  
Acting Deputy Director  
Maintenance and Operations

7-9-04  
Date

# CEQA LEAD AGENCY CHECKLIST/CERTIFICATION \*

## TRANSPORTATION INFORMATION FROM A REPORTING OR MONITORING PROGRAM

### Part 1 - Checklist

Project Name: \_\_\_\_\_

Lead Agency: \_\_\_\_\_

Lead Agency Contact (Name, Title, Agency, Address & Phone): \_\_\_\_\_

State Clearinghouse (SCH) File #/s: \_\_\_\_\_

Document Type/s: \_\_\_\_\_

Findings & Approval Date/s: \_\_\_\_\_

Project Proponent (Name, Title, Company, Address & Phone): \_\_\_\_\_

**For each specific Transportation Related Mitigation Measure associated with this Project, The following information items are included in the attached materials:**

Yes	No	
<input type="checkbox"/>	<input type="checkbox"/>	Location/Custodian Of CEQA Documents, Proceedings, Records
<input type="checkbox"/>	<input type="checkbox"/>	Description Of How To Obtain Copies Of Above Documents
<input type="checkbox"/>	<input type="checkbox"/>	Mitigation Measure Name & Identifying Number
<input type="checkbox"/>	<input type="checkbox"/>	Detailed Description of Measure & its Purpose (attach blueprints if necessary)
<input type="checkbox"/>	<input type="checkbox"/>	Measure Location Description, Latitude/Longitude, & Vicinity Map
<input type="checkbox"/>	<input type="checkbox"/>	Location of Impacted State Highway Component (County, Route, Postmile)
<input type="checkbox"/>	<input type="checkbox"/>	Caltrans Encroachment Permit Number (if one was needed)
<input type="checkbox"/>	<input type="checkbox"/>	Copy of Other Agency Permits required for this Measure (if needed)
<input type="checkbox"/>	<input type="checkbox"/>	Completion Criteria (including detailed performance objectives)
<input type="checkbox"/>	<input type="checkbox"/>	Implementation Schedule
<input type="checkbox"/>	<input type="checkbox"/>	Estimated Monetary Value of Completed Measure & % Local Agency Funded
<input type="checkbox"/>	<input type="checkbox"/>	Responsible Contractor (Name, Company, Address & Phone)

*The above project mitigation measures will be implemented as indicated in the adopted reporting or monitoring program, and the California Department of Transportation will be notified upon implementation.*

CEQA Lead Agency \_\_\_\_\_

Date \_\_\_\_\_

### Part 2 - Certification

*We certify that the agreed upon mitigation measures have been implemented, and all other requirements have been adhered to, in accordance with PRC Sections 21081.6 and 21081.7. Attached: 1. Completion evaluation (including field inspection reports); 2. Photograph of completed measure.*

Signature  
& Date: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

CEQA Lead Agency

California Department of Transportation

\* This form is to be used by public agencies to submit their mitigation reporting or monitoring programs to the California Department of Transportation (Department) when a CEQA project has been found to have transportation or circulation impacts that are of statewide, regional, or area-wide significance. Copies of this form, and the Department Guidelines developed pursuant to PRC Section 21081.7, can be downloaded from our website ([http://www.dot.ca.gov/hq/tpp/offices/ocp/igr\\_guidelines\\_procedures.htm](http://www.dot.ca.gov/hq/tpp/offices/ocp/igr_guidelines_procedures.htm)). Completed form with attached materials may be post-mailed, e-mailed, or faxed to the appropriate Department District Planning Office, Attention: Intergovernmental Review (IGR) Coordinator. {Form Version 07/2004}